

Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----046735 181924Z /50
R 181527Z JAN 78
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 778
INFO AMEMBASSY PANAMA

C O N F I D E N T I A L CARACAS 0517

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EXDIS

E.O. 11652: GDS
TAGS: PN, VE, OVIP (BAKER, SENATOR HOWARD)
SUBJECT: AMENDMENTS TO THE PANAMA CANAL TREATIES --
PRESIDENT PEREZ' CONVERSATION WITH
SENATOR BAKER

REF: CARACAS 399

1. I WANTED TO UNDERLINE FOR THE DEPARTMENT PRESIDENT
CARLOS ANDRES PEREZ (CAP) JANUARY 13 CONVERSATION WITH
SENATOR BAKER (REFTEL) BECAUSE OF ASPECTS IT REVEALED REGARD-
ING THE QUESTION OF CHANGING THE TREATIES AND OF TACTICS
IT SUGGESTS IN THIS REGARD FOR THE RATIFICATION PROCESS.

2. AS WILL BE NOTED FROM REFTEL, CAP INSISTED
EMPHATICALLY THAT THE TREATIES SHOULD NOT BE MODIFIED
(BEYOND THE ACCEPTANCE OF THE OCTOBER MEMORANDUM) BECAUSE
CAP ARGUED, IT WAS NOT NECESSARY TO DO SO TO GUARANTEE
US RIGHTS AND BECAUSE TO DO SO RISKED KILLING THE
TREATIES. HIS ARGUMENT WAS THAT THERE WAS
A LIMIT TO WHAT PANAMANIAN WOULD ACCEPT AND THAT
WAS THE REAL POLITICAL QUESTION RATHER THAN WHETHER
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RORRIJOS WAS FLEXIBLE OR NOT. REGARDLESS OF WHAT
TORRIJOS WAS WILLING TO DO, CAP INSISTED, THERE WERE
LIMITS TO WHAT HE COULD DELIVER. THE REASONS FOR
CAP'S TACTIC IN STRONGLY HITTING THIS POINT IN HIS
CONVERSATION WERE PARTLY HIS SINCERE BELIEF THAT
UNRESTRAINED EFFORTS TO MODIFY THE TREATIES MIGHT
IN FACT KILL THEM AND PARTLY HIS FEAR THAT THE

SENATORS WERE CONCETRATING SO MUCH ON THE DOMESTIC US PROBLEMS THEY MIGHT LOSE SIGHT OF THE OTHER HALF OF THE EQUATION. TO A LARGE DEGREE, THEREFORE, HE WAS BEING TACTICAL, IN AN EFFORT TO RESTRAIN THE PENCHANT FOR AMENDING THE TREATIES SO AS NOT TO IMPERIL THE EQUILIBRIUM ALREADY REACHED IN THEM.

3. CAP'S CONCERN WAS FED BY THE VAGUENESS IN SENATOR'S BAKER'S EXPLANATION OF JUST WHAT CHANGES SHOULD BE MADE. AT ONE POINT HE ASKED THE SENATOR OUTRIGHT WHAT HE HAD IN MIND SINCE OTHERWISE THEY "WERE TALKING IN THE AIR". THE SENATOR REPLIED THAT HE HAD NO IDEA AND WOULD NOT UNTIL HE CONSULTED HIS REPUBLICAN COLLEAGUES. NONE OF THIS REASSURED CAP BUT RATHER REINFORCED HIS INSISTENCE ON THE GENERIC POINT BECAUSE SINCE HE COULD NOT DISCUSS PARTICULAR CASES HE TOOK THE TACTIC OF BEING EMPHATICALLY ADAMANT TO CONFINE AND RESTRAIN THE GENERAL URGE TO AMEND.

4. CAP'S STAND STARTLED, AND AT ONE POINT ALMOST ANGERED, SENATOR BAKER, BECAUSE CAP'S ARGUMENT DIRECTLY CHALLENGED THE SENATOR'S STRATEGY. SINCE THE SINA QUA NON OF THE SENATOR'S POSITION WAS THAT SOME MODIFICATIONS HAD TO OCCUR, HE MADE MUCH OF TORRIJOS' ASSURANCES THAT HE WOULD BE "FLEXIBLE".
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WHAT REALLY WORRIED THE SENATOR, KNOWING THAT TORRIJOS IS CLOSE TO CAP, WAS WHETHER CAP'S ARGUMENT REFLECTED TORRIJOS PRESENT POSITION AND WHETHER TORRIJOS HAD RENEGED OR WAS NOT GOING TO BE "FLEXIBLE". THE SENATOR FINALLY CONCLUDED, CORRECTLY I BELIEVE, THAT CAP WAS ONLY EXPRESSING HIS OWN VIEW, WAS BEING TACTICAL, AND FOR HIS PART, WAS OVER-CONCENTRATING ON THE PANAMANIAN PROBLEMS WITH INSUFFICIENT APPRECIATION OF THE US PROBLEM.

5. THE CONVERSATION WAS OTHERWISE FRANK AND FRIENDLY AND PERHAPS IT EMPHASIZED FOR THE SENATOR THAT THERE MIGHT BE LIMITS TO WHAT COULD BE ASKED FOR BY WAY OF AMENDMENT. THE POINTS I WANTED TO UNDERLINE FOR THE DEPARTMENT, HOWEVER, WERE A) CAP MAY IN FACT UNDERESTIMATE THE US PROBLEM AND BELIEVE THAT AN INDISCRIMINATELY TOUGH STAND AGAINST CHANGE WOULD BE GOOD TACTICS AND B) CAP'S RELATIONSHIP TO TORRIJOS IS SUCH THAT CAP MIGHT JUST AS EASILY BE UNHELPFUL AS HELPFUL IF HE DOES NOT ADEQUATELY UNDERSTAND WHAT IS BEING PROPOSED AND OUR TACTICS AND RATIONALE. IF WE WERE TO DECIDE TO PROPOSE

SOME CHANGES, MODIFICATIONS, AMENDMENTS OR WHATEVER TO TORRIJOS, FOR EXAMPLE, IT IS NOT INCONCEIVABLE THAT THE FIRST THING TORRIJOS WOULD DO WOULD BE TO CALL CAP FOR ADVICE. AT THAT POINT, IF CAP IS NOT ON OUR TACTICAL WAVELENGTH HE MAY GIVE HIM THE WRONG ADVICE.

5. I WOULD SUGGEST THEREFORE THAT IT MAY BE AS IMPORTANT TO KEEP CAP INFORMED AND PERSUADED AS TORRIJOS, AND THAT WE SHOULD SEEK TO HAVE CAP ON OUR TACTICAL SIDE REGARDING WHATEVER WE MAY DECIDE WE HAVE TO DO ABOUT THE TREATIES. FURTHERMORE, WE SHOULD KEEP CAP SO INFORMED SIMULTANEOUSLY OR EVEN IN ADVANCE OF WHATEVER APPROACHES WE MAKE CONFIDENTIAL

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TO TORRIJOS, BECAUSE TORRIJOS GETS TO CAP RIGHT AWAY AND WE CANNOT AFFORD ANY TIME GAPS IN THIS SITUATION.

6. I ALSO CALL THE DEPARTMENT'S ATTENTION TO CAP'S OFFER TO HEAD A "GUARANTOR" GROUP OF LATIN AMERICAN NATIONS TO GUARANTEE THE TREATIES THROUGH THEIR LIFE. SENATOR BAKER (AND SENATOR BENTSEN) EXPRESSED CONCERN THAT IN A FEW YEARS THE PRESSURE WOULD BE ON AGAIN FOR A RENEGOTIATION. CAP APOKE DIRECTLY TO THAT CONCERN AND WAS CATEGORIC IN SAYING VENEZUELA WOULD SUPPORT THE US. THE "GUARANTOR" DIEA MAY HAVE BEEN A NEW ONE FOR BAKER. IT IS PERHAPS SOMETHING WE COULD KEEP IN MIND IN CONNECTION WITH CONCERNS OTHER SENATORS MAY EXPRESS ABOUT THIS POINT.
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 18 jan 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978CARACA00517
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780027-0497
Format: TEL
From: CARACAS
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780151/aaaabqzi.tel
Line Count: 152
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 7bb8cfe2-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS, STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS, STADIS
Reference: 78 CARACAS 399
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 18 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3757578
Secure: OPEN
Status: NATIVE
Subject: AMENDMENTS TO THE PANAMA CANAL TREATIES -- PRESIDENT PEREZ' CONVERSATION WITH SENATOR BAKER
TAGS: OVIP, PN, VE, (BAKER, HOWARD)
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/7bb8cfe2-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014